

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

18/D  
BP  
12/18/02

First Named Inventor : Pramod B. Mahajan  
Application Number : 09/538,396  
Filing Date : 03/29/2000  
Title : Rad50 Orthologue and Uses Thereof  
  
Group/Art Unit : 1638  
Examiner : Ibrahim, Medina Ahmed  
  
Attorney Docket Number : 1116E

Assistant Commissioner for Patents  
Washington, D.C. 20231

**AMENDMENT UNDER 37 C.F.R. §1.114**

In response to the Final Office Action of June 18, 2002, Applicants respectfully request reexamination and reconsideration in view of the following amendments and remarks. The Examiner is respectfully requested to enter the following amendments:

**In the Claims:**

Please cancel claim 13.

Please amend claims 2, 3, 4, 8, 12, 14 and 15 as follows:

- D1
2. (Twice Amended) A recombinant expression cassette, comprising the polynucleotide of claim 12 operably linked to a promoter.
  3. (Twice Amended) A host cell comprising the polynucleotide of claim 12.

12/18/2002 GPAYNE 00000002 161852 09538396

03 FC:1202 252.00 CH

12/19/2002 GPAYNE 00000001 161852 09538396

02 FC:1201 84.00 CH  
18.00 CH